

**In the United States District Court
For the Western District of Texas
Waco Division**

Scott and White Health Plan,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	Civil Action No. 6:19-cv-263
DST Pharmacy Solutions, Inc., f/k/a	§	
Argus Health Systems, Inc.,	§	
	§	
Defendant.	§	

DEFENDANT'S NOTICE OF REMOVAL OF CIVIL ACTION

Defendant DST Pharmacy Solutions, Inc. ("Defendant") removes this action from the 169th Judicial District Court of Bell County, Texas to this Court pursuant to and in accordance with 28 U.S.C. §§ 1332, 1441, because there is complete diversity of the parties and the amount in controversy exceeds \$75,000, excluding interest and costs. As grounds for removal, Defendant states as follows:

Facts Supporting Removal

1. Plaintiff Scott and White Health Plan ("Plaintiff") is a Texas non-profit health maintenance organization, having its principal place of business at 1206 West Campus Drive, Temple, Texas 76502. (Orig. Pet. ¶3.)
2. Defendant is a Delaware Corporation with its principal place of business at 1300 Washington Street, Kansas City, Missouri 64105.
3. On March 13, 2019, Plaintiff filed its Original Petition in the 169th District Court of Bell County, Texas (the "Petition").
4. The Petition "seeks monetary relief over \$1,000,000." (Orig. Pet. ¶2.)
5. Defendant was served with the Petition on March 18, 2019.

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Basis for Removal

6. **Complete Diversity of the Parties.** There is complete diversity of the parties in this case because Plaintiff is a citizen of Texas and Defendant is a citizen of Delaware (its state of incorporation) and Missouri (the location of its principal place of business). *See* 28 U.S.C. 1332(c)(1).

7. **Amount in Controversy Exceeds \$75,000.** In the Petition, Plaintiff seeks monetary relief over \$1,000,000, and therefore exceeds the amount-in-controversy requirement of Section 1332(a).

8. **Notice of Removal Timely Filed.** Defendants file this notice of removal within 30 days of service, as required by 28 U.S.C. §1446(b)(1).

9. **Papers from Removed Action Attached.** As required by 28 U.S.C. § 1446(a), Defendant has attached as Exhibit A to this Notice of Removal all pleadings, process, orders, and other filings in the state-court suit, and has also attached a completed civil cover sheet.

10. **Notice of Filing of Notice of Removal Promptly Filed.** In accordance with 28 U.S.C. § 1446(d), and to effect removal, Defendant will promptly file a true and correct copy of this Notice of Removal, attached hereto as Exhibit B, with the Clerk of the 169th Judicial District Court of Bell County, Texas.

CONCLUSION

As set forth above, Defendant removes this action from the 169th Judicial District Court of Bell County, Texas to this Court pursuant to and in accordance with 28 U.S.C. §§ 1332, 1441.

Respectfully Submitted,

FOLEY GARDERE
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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that on April 15, 2019, a copy of the foregoing was served on counsel for Plaintiff via the Court's ECF system pursuant to Local Rule CV-5(a).

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/s/ Sara Ann Brown

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